

Appn No. 09/693,515  
Amdt. Dated August 5, 2004  
Response to Office action of June 8, 2004

12

### **REMARKS/ARGUMENTS**

The Office Action has been carefully considered. The issues raised are traversed and addressed below with reference to the relevant headings and paragraph numbers appearing under the Detailed Action of the Office Action.

#### ***Specification***

Pages 1 and 2 of the specification have been amended to update the list of co-pending applications with US application numbers or granted patent numbers.

#### ***Claim Rejections – 35 USC § 103***

In paragraph 3 of the Office Action, the Examiner has raised obviousness objections to claims 1-11, 15-17, 19-30, 32-34, 36-37 in light of Tabata and Kasabach. However, we respectfully submit that by combining the teachings of these documents results in a system that requires two steps in order to determine the graphic design activity. This is in contrast to the current invention that only requires one step.

Tabata clearly requires two subsequent steps in order to determine the graphic design activity, including marking the form, and then scanning the form, including the barcode and marked area, in order to determine which zone the marking is contained within. Kasabach describes using a writing surface position indicator in order to determine the position of the writing tip.

However, by combining the teachings of Tabata and Kasabach, the resultant system would require a first step of marking the form and determining the position of the marking, and in a subsequent second step determine the identity of the form by scanning the barcode. It would not have been obvious for a person skilled in the art to reduce the interaction between the sensing device and the form from two steps, which is taught by the prior art, to one step which determines both the position of the marking and identity of the form, as required by claim 1.

However, in order to obtain speedy allowance of the application, claim 1 has been amended to introduce further distinctions over the prior art citation.

In particular, claim 1 has been amended to include features from claim 3 including receiving in the computer system data regarding movement of the sensing device relative to the form, where the sensing device senses its movement relative to the form using at least some of the coded data. For example, the computer system may receive data from the sensing device, wherein the sensing device may periodically determine the coded data on the respective form in order to determine the sensing device's movement. The coded data read by the sensing device may be used in mathematical equations to determine the distance and velocity (movement) of the sensing device relative to the form.

This feature of determining movement allows the computer system to receive data of the movement of the sensing device using the coded data rather than using more conventional methods such as gyroscopes and accelerometers attached to the sensing device. Allowing the sensing device to determine its movement using at least some of the coded data rather than

Appln No. 09/693,515  
Amdt. Dated August 5, 2004  
Response to Office action of June 8, 2004

13

gyroscopes or accelerometers provides a more economical system that can determine relative movement to the form.

Similarly, claim 23 has been amended to include features from claim 25, wherein the sensing device senses its movement relative to the form using at least some of the coded data.

We note that the Examiner has raised obviousness objections in regard of this included feature (previously in claim 3) in light of Tabata and Kasabach. However, we respectfully submit that this combination of features is inventive.

Kasabach describes at line 17 to 23 of Column 3 that the writing device may include a number of accelerometers in order to track movement. This is in total contrast to the current invention, wherein the movement of the sensing device received by the computer system is determined by the sensing device using at least some of the coded data for determining relative movement to the form, as required by claim 1.

Tabata fails to describe computer system receiving data regarding movement of the sensing device relative to the form, where the sensing device senses its movement relative to the form using at least some of the coded data.

Therefore, even if the teachings of Kasabach and Tabata were combined, this leads to determining the movement of the sensing device relative to the form using accelerometers or like mechanisms. We respectfully submit that it would not be obvious to use at least some of the coded data in order to determine the movement of the sensing device relative to the form, as none of cited documents use this method in order to determine relative movement. Therefore, claim 1 is novel and inventive in light of Tabata and Kasabach.

The above arguments also apply to amended claim 23.

In view of this, we believe that the claims as amended are novel and inventive over the cited prior art.

Appln No. 09/693,515  
Amdt. Dated August 5, 2004  
Response to Office action of June 8, 2004

14

In light of the above, it is respectfully submitted that the objections and claim rejections have been successfully traversed and addressed. The amendments do not involve adding any information that was not already disclosed in the specification, and therefore no new matter is added. Accordingly, it is respectfully submitted that the claims 1 to 24 and 26 to 37, and the application as a whole with these claims, are allowable, and a favourable reconsideration is therefore earnestly solicited.

Very respectfully,

Applicant:



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